

The Little Traverse Bay Bands of Odawa Indians  
Tribal Council Meeting  
March 2, 2008  
Tribal Court Room 7500 Odawa Circle

Closed Session: none

Call to Order: Meeting was called to order at: 9:31 a.m.

Opening Ceremony: Dexter McNamara

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland

Absent: Councilor Shirley Oldman

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Executive Assistant Rebecca Fisher, Transportation Planner Ben Banfield, Natural Resource Commissioner John Keshick

Guests: Fred Kiogima, Marie Miller, Marilyn Hume, John Kewagama, Marty VandeCar, Denise Petoskey, Pauline Anthony, George Anthony, Rita Shananaquet

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Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to adopt the agenda for March 2, 2008 as amended.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor McNamara to approve the Minutes of February 17, 2008 as corrected.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Tribal Elder Comment: no comments at this time.

10:40 a.m. Recess called.

10:49 a.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Councilor Mulholland to place the Trust Fund Board Statute on the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

11:46 a.m. Public Comment: John Kawegoma spoke regarding the proposed enrollment statute and what happens to applications received prior to this statute being enacted. John also spoke regarding Casino employment with Indian preference in hiring and annual raises. Rita Shananaquet spoke on two (2) Court Cases regarding Indian preference in hiring as discriminatory.

11:58 a.m. Public Comment closed.

11:58 a.m. Lunch recess called until 1:30 p.m.

1:31 p.m. Meeting reconvened.

Motion made by Councilor Kiogima and supported by Councilor Harrington, Jr., that we appoint Tribal Elder George Anthony to the Appellate Court Justice to serve a term of 6-years pending the receipt of a criminal background investigation.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Mulholland to appoint Marilyn Hume to the Gaming Regulatory Commission to serve the remainder of a term beginning September 21, 2006 and ending September 21, 2009 pending a successful back ground check.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Harrington, Jr., to pass Waganakising Odawak Statute Process for Appropriations and Supplemental Funding.

Roll Call Vote: Councilor Harrington, Jr., Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Mulholland to adopt Tribal Resolution Request for Funding from the Department of Health and Human Services, Administration for Children and Families, Administration for Native Americans, Native Language Preservation and Maintenance Program: Little Traverse Bay Bands of Odawa Indians Waganakising Odawamowin Implementation Project.

Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to adopt Tribal Resolution Long Range Transportation Plan FY 2008.

Motion on hold in consideration of Public Comment.

3:00 p.m. Public Comment: Denise Petoskey spoke regarding the Election Board's project update. Rita Shananaquet spoke regarding daycare issues and casino employee cutbacks in work hours. Fred Kiogima spoke regarding his opposition regarding employment preference for a Tribal Citizen spouse. Fred also spoke regarding Tribal Citizen's assistance within the Housing Department guidelines. Michele LaCount spoke regarding the Indian Preference in Hiring Statute regarding employment lay offs and conducting future internal financial audits to justify the Tribes financial state prior to the casino issuing employment layoffs. Michele also spoke regarding road improvements within the 1855 Reservation boundaries and in the future for the 1836 Reservation recognition.  
3:10 p.m. Public Comment closed.

3:10 p.m. Recess called.

3:20 p.m. Meeting reconvened.

Previous motion resumed.

Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes  
Motion carried.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to adopt Tribal Resolution Indian Reservation Roads Inventory Additions FY 2008.

Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes  
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to adopt Tribal Resolution Approval of FY 2008 Tribal Transportation Improvement Program.

Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes  
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Kiogima to approve Enrollment list A – Eligible for Citizenship dated February 20, 2008 for a total of 14.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Yellowbank to approve Enrollment list B – Declination Ineligible dated February 20, 2008 for a total of 9.

Vote: 7 - Yes, 1 – No (Councilor Harrington, Jr.), 0 - Abstained, 1 – Absent (Councilor Oldman)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to adopt Tribal Resolution Authorization to Enter into Memorandum of Agreement with the United States Coast Guard.

Roll Call Vote: Councilor Harrington, Jr.-no, Councilor Kiogima-no, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to adopt Tribal Resolution Approval of Leases. Funding to come from prior year funds in the amount of \$9,825.00.

Roll Call Vote: Councilor Harrington, Jr.-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-absent, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes

Motion carried.

Treasurer Chingwa departed the meeting at 4:25 p.m.

Motion made by Councilor Kiogima and supported by Councilor Harrington, Jr. to accept the Tribal Treasurer's verbal report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Yellowbank to accept the Legislative Leader verbal and written report with confidential items contained therein.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor Kiogima to accept the resignation of Councilor Yellowbank from the Land and Reservation Committee and appoint Secretary Gasco Bentley to the Committee.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Yellowbank to accept Councilor Harrington, Jr.'s verbal report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to accept the Legislative Services Attorney's verbal and written report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Harrington, Jr., to accept Councilor Kiogima's verbal and written Land and Reservation Committee report.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

Motion made by Councilor Harrington, Jr., and supported by Councilor McNamara to adjourn at 4:49 p.m.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Oldman, Treasurer Chingwa)

Motion carried.

These Minutes have been read and approved as written:

Approved:

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Regina Gasco Bentley, Tribal Council Secretary

Date